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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/248,077 02/10/99 LADD

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EXAMINER

TM02/0214

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NEW YORK NY 10022

SALAD, A

ART UNIT

PAPER NUMBER

2153
DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

SK

Office Action Summary

Application No.
09/248,077

Applicant(s)

David J. Ladd

Examiner

Abdullahi Salad

Group Art Unit
2153



☒ Responsive to communication(s) filed on Feb 10, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

- ☒ Claim(s) 1-32 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-32 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 & 3
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2153

DETAILED ACTION

1. This application has been reviewed. Original claims 1-32 are pending. The rejection cited stated below.
2. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7, 9-15, 17-19, 21, 23-29, 31 and 32, are rejected under 35 U.S.C. 102(b) as being anticipated by Behr et al U.S. Patent No. 5,543,789.

As per claims 1 and 17, Behr et al discloses a system for communicating with a wireless information device comprising the steps:

- receiving an information request (route guidance or route direction), (see fig. 1, the abstract and col. 5, line 66 to col. 6, line 13);
- accessing an informational database with the information request (see fig. 1, element 72);
- receiving from the information al database information in response to the information request (see abstract);

Art Unit: 2153

- transferring the response information and the wireless identification to a wireless information distribution system capable of communicating the responsive information to the wireless device (see col. 7, line 55 to col. 8, line 25).
- as per receiving a device identification from a wireless device, it is inherent a device identification is included in the information request from the wireless devices such pagers. For example it is inherent remote unit (pager 20) provides to the base unit the request information and the device identification.
- In considering claims 2-3 and 13-14, Behr et al discloses a system, wherein the information request contains plurality of geographic locations and the responsive information comprises driving direction between locations (see col. 3, line 51-67).
- In considering claims 4-5 and 15, Behr et al discloses a system, wherein the driving directions are provided in text or graphic format (see col. 3, line 51-67).
- In considering claims 7 and 25, Behr et al discloses a system, wherein the wireless information distribution system is a wireless paging network (see col. 8, lines 7-25 and col. 7, lines 14-23).
- In considering claims 9, 10, 23 and 24, Behr et al discloses a system, wherein the wireless information distribution system is accessed remotely or locally via dedicated data lines (see col. 8, lines 7-25 and col. 7, lines 14-23).
- In considering claim 11, Behr et al discloses a system, wherein the wireless informational device is an alpha-numeric pager (see fig. 1, element 20).

Art Unit: 2153

As per claims 12 and 27. The claim includes features discussed in claim 1 above, further reciting: processing the text format information with a text-to-voice processor to generate an audio representation of the responsive information (see col. 4, lines 34-35).

- in considering claims 18-19, 21, 28 and 29, Behr et al discloses a system, wherein the receiver comprises a computer server (see col. 3, line 46 and col. 4, lines 6-20).
- in considering claims 26, 30 and 31, Behr discloses a system, wherein the receiver, the connection and the transmitter are contained on the same server (base unit) (see fig. 1, element 12).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6, 8, 16, 20, 22 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 5,543,789 as applied to claim 1 above, and further in view of Musk et al U.S. Patent No. 6,148,260.

As per claims 6, 8, 16, 20, 22 and 30. Behr et al discloses substantial features of the claimed invention including accessing the informational database from remote terminals through variety communications network.

Art Unit: 2153

Behr et al is silent the communications network through which the informational is accessed includes Internet-based and is accessed through HTTP emulation.

Nonetheless, accessing an informational database or business directory or map database through the Internet is well known in the art as evidenced by musk et al. Musk et al discloses a system, for accessing an informational database over a network, in particular the Internet (see col. 1, lines 9-30, and col. 2, lines 16-44). Therefore, it would have been obvious to one having ordinary skill in the art provided with the teaching of Musk et al to modify Behr et al by employing an Internet as means of communication between remote unit and base unit as taught by Musk et al, because this approach provides route guidance information which can be easily accessible and allows automatic real time database updates and corrections at the base unit, avoiding database distribution problems. In addition, the cost and technical requirements of the on-board or mobile unit equipment are substantially reduced.

CONCLUSION

7. The prior art made of record and relied upon is considered pertinent to the applicants disclosure.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abdullahi E. Salad** whose telephone number is **(703) 308-8441**. The examiner can normally be reached on Monday to Friday from **8:30AM to 5:00PM**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess, can be reached at **(703)305-4792**. Any inquiry of a general nature or

Application/Control Number: 09/248,077


Page 6

Art Unit: 2153

relating to the status of this application or proceeding should be directed to the receptionist
whose telephone number is (703)305-3900.

AES

2/7/2001



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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100